



Testimony Before The Michigan House Energy & Technology Committee

Let there be light: Pass HB 4815

September 12, 2011

By Annie Patnaude

Introduction

Chairman Horn and distinguished Members of the Committee, thank you for the opportunity to testify on behalf of Americans for Prosperity-Michigan regarding the important issue of consumer freedom.

My name is Annie Patnaude. I am Deputy State Director of Americans for Prosperity-Michigan, a non-partisan free-market grassroots group dedicated to furthering the cause of economic freedom.

Americans for Prosperity-Michigan is a statewide organization of well over 63,000 activists who are committed to strengthening our constitutional government, establishing fiscal restraint and giving taxpayers greater control over government. We are dedicated to recruiting, training, educating and motivating grassroots activists to be effective in their own communities.

Americans for Prosperity is among the most effective and strong grassroots groups in the country, and also here in Michigan, which is why I hope you will find these comments on House Bill 4815 helpful during your deliberations.

Government knows best

Michigan lawmakers have the unique opportunity to shine a light for freedom by turning out the light on onerous federal regulation that would make the humble incandescent light bulb nearly extinct.

Current federal law phases out incandescent light manufacturing beginning in January 2012 with 100-watt bulbs. By 2014, manufacturers will stop making 75-, 60- and 40-watt bulbs. The change is part of the federal Energy and Independence and Security Act that then-President George Bush signed into law in 2007.

For our tens of thousands of members—and undoubtedly many more Michigan families—this ban on the sale of Thomas Edison’s amazing invention is a prime example of the federal government’s overreach. Our members ask: If we allow such an egregious abuse of power to stand ... what will they come for next?

The complaints of compact fluorescent light bulbs (CFLs) are fairly well known by now, thanks to the enormous amount of publicity surrounding the federal ban on light bulbs. Consumers prefer the soft yellow lighting of incandescents to the blue-white flickering light of fluorescents. CFLs have a high out-of-pocket cost, do not tolerate bulb diversity in a fixture, do not work well in colder temperatures, do not work well with dimmer switches, and the lifespan of the much-touted longer lifetime bulb diminishes significantly when turned off and on frequently. There is also some compelling evidence to indicate that they do not even reduce consumption of electricity. Why? With the understanding that they use less electricity, people are more likely to keep their CFL bulbs on for longer periods of time.

In a January 19, 2011, article, *The Wall Street Journal* reported on California's CFL efficiency program:

“One hitch was the compact-fluorescent burnout rate. When PG&E began its 2006-2008 program, it figured the useful life of each bulb would be 9.4 years. Now, with experience, it has cut the estimate to 6.3 years, which limits the energy savings. Field tests show higher burnout rates in certain locations, such as bathrooms and in recessed lighting. Turning them on and off a lot also appears to impair longevity.”

The Competitive Enterprise Institute, a well-known Washington, DC, think tank reports that in 1987, the town of Traer, Iowa, persuaded most of its residents to turn in their incandescent light bulbs for free CFLs. Electricity use actually increased by nearly 10 percent because people were running the new lights longer.

Unfortunately, while much of the focus has been on the pros and cons of CFLs compared to incandescents, the crux of the issue is economic freedom. It seems that in their rush to do good—or perhaps pay off special interests and corporate cronies who couldn't move their new CFL bulbs as quickly as they had hoped—supporters of big government are willing to sacrifice the economic freedom that has powered the engines of prosperity. Our freedom to choose what car to drive, what home to buy, what food to eat ... and yes, what light bulb to use.

Flip the switch

Political sanctimony paired with political audacity led an unfortunate number of Congressional lawmakers to believe it was O.K. to intrude on our personal economic lives. Insidious, virtually imperceptible government regulations have long-been allowed to trample on our economic freedom. It is time for Americans and the lawmakers who represent them to say, “Enough is enough.”

In this case, the solution may be as simple as flipping the legislative switch on House bill 4815 so there can be incandescent light in Michigan.

Americans for Prosperity-Michigan has witnessed firsthand the widespread public opposition, and outrage, to the federal light bulb ban. Even House Energy and Commerce Committee Chairman Fred Upton, R-Mich., who co-sponsored the 2007 legislation that made light bulbs illegal, agreed to support a bill to repeal the ban. That initiative unfortunately failed to achieve the two-thirds majority needed to pass. Nonetheless, Rep. Upton's willingness to see the light, so to speak, signals strong opposition among Michigan constituents to the light bulb ban.

This is prime time for Michigan lawmakers to act—bringing freedom back to consumers in our state.

Michigan wouldn't be alone

Michigan would not be the first—and likely not the last—state to allow for the manufacture, sale and distribution of incandescent light bulbs within its borders. Texas Gov. Rick Perry defied the federal government's impending incandescent light bulb ban by signing similar legislation in June 2011, and South Carolina's General Assembly approved a bill to allow for the in-state manufacture and sale of incandescent light bulbs. Last year, the Arizona legislature passed a bill to the same effect; unfortunately, Gov. Jan Brewer vetoed it.

Competition for consumers

By the end of 2010, CFLs had only captured 25 percent of the general-purpose light-bulb market, according to Virginia Postrel, a Bloomberg columnist. The consumer switch from incandescents to CFLs wasn't occurring as planned, which in turn led to environmentalist do-gooders joining forces with major corporations to bury a *de facto* ban on the competition in the lengthy and complex energy bill. Thus, as Postrel noted, "The competition becomes banned so consumers have no choice but to buy the product they don't want."

By enacting House Bill 4815, Michigan lawmakers have the unique opportunity to bring greater choice and competition to Michigan's light bulb marketplace.

Conclusion

Michigan lawmakers have the chance to turn the tide against the federal government's abridgement of our economic freedom and strike a blow for freedom. The light bulb ban has become a symbol of government's quiet encroachment on our freedom by those in power. Passage of this legislation will similarly shine an incandescent light for freedom in our state.

"There are more instances of the abridgement of the freedom of the people by the gradual and silent encroachment of those in power, than by violent and sudden usurpation. -President James Madison (1751-1836)"